

BILL NO. 82-72

BOOK 8 PAGE 132

AS AMENDED

COUNTY COUNCIL

OF

HARFORD COUNTY, MARYLAND

BILL NO. 82-72 (AS AMENDED)

Introduced by Council President Hardwicke at the  
request of the County Executive

Legislative Day No. 82-30 Date September 21, 1982

AN ACT to repeal Section 457A, heading, Code of Ethics, of the Code of Public Local Laws of Harford County, as amended, and to enact new Article II, heading, Code of Ethics, to be added to Chapter 16, heading, Personnel, of the Harford County Code, as amended; to provide ethical standards for the conduct of County employees and officials; to provide for the registration and control of lobbying activities in the County government; to establish a Board of Ethics; to establish enforcement procedures, including criminal and civil sanctions for the violation of certain sections; and generally relating to the conduct of officials and employees of Harford County, Maryland.

By the Council, September 21, 1982

Introduced, read first time, ordered posted and public hearing scheduled

on: October 19, 1982

at: 6:00 P.M.

By Order: Angela Markowski, Secretary

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on October 19, 1982 and concluded on October 19, 1982.

Angela Markowski, Secretary

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.

BILL NO. 82-72  
AS AMENDED

1 Section 1. *Be It Enacted By The County Council of Harford County,*  
2 *Maryland, that Section 457A, heading, Code of Ethics, of the*  
3 *Harford County Code of Public Local Laws, as amended, be, and it*  
4 *is hereby repealed and that new Article II, heading, Code of*  
5 *Ethics, be, and it is hereby added to Chapter 16, heading,*  
6 *Personnel, of the Harford County Code, as amended, to stand in*  
7 *lieu of the repealed law, all to read as follows:*  
8 Chapter 16. Personnel.  
9 Article II. Code of Ethics.

10 SECTION 16-46. STATEMENT OF PURPOSE AND POLICY.

11 (a) THE COUNTY COUNCIL, RECOGNIZING THAT OUR SYSTEM OF  
12 REPRESENTATIVE GOVERNMENT IS DEPENDENT IN PART UPON THE PEOPLE  
13 MAINTAINING THE HIGHEST TRUST IN THEIR PUBLIC OFFICIALS AND  
14 EMPLOYEES, FINDS AND DECLARES THAT THE PEOPLE HAVE A RIGHT TO BE  
15 ASSURED THAT THE IMPARTIALITY AND INDEPENDENT JUDGEMENT OF PUBLIC  
16 OFFICIALS AND EMPLOYEES WILL BE MAINTAINED.

17 (b) THIS ARTICLE ESTABLISHES ETHICAL STANDARDS FOR COUNTY  
18 OFFICIALS AND EMPLOYEES.

19 (c) THE PROVISIONS OF THIS ARTICLE SHALL BE BROADLY CONSTRUED  
20 AND STRICTLY ENFORCED.

21 SECTION 16-47. DEFINITIONS.

22 (a) IN GENERAL. IN THIS ARTICLE, THE FOLLOWING WORDS HAVE  
23 THE MEANINGS INDICATED, UNLESS:

24 (1) THE CONTEXT CLEARLY REQUIRES A DIFFERENT MEANING;  
25 OR

26 (2) A DIFFERENT DEFINITION IS ADOPTED FOR A PARTICULAR  
27 SECTION.

28 (b) BOARD. THE HARFORD COUNTY ETHICS BOARD ESTABLISHED BY  
29 THIS ARTICLE.

30 (c) EMPLOYEE. ANY PERSON, OTHER THAN A PUBLIC OFFICIAL,  
31 EMPLOYED BY THE EXECUTIVE OR LEGISLATIVE BRANCH OF COUNTY GOVERN-  
32 MENT.

BOOK 0 PAGE 130

1 (d) EMPLOYER. ANY PERSON PAYING OR AGREEING TO PAY COM-  
2 PENSATION TO ANOTHER PERSON FOR SERVICES RENDERED.

3 (e) FINANCIAL INTEREST.

4 (1) OWNERSHIP OF ANY INTEREST AS A RESULT OF WHICH THE  
5 OWNER HAS RECEIVED WITHIN THE PAST THREE (3) YEARS, OR IS PRE-  
6 SENTLY RECEIVING, OR IN THE FUTURE IS ENTITLED TO RECEIVE MORE  
7 THAN ONE THOUSAND DOLLARS (\$1,000.00) PER YEAR; OR

8 (2) OWNERSHIP, OR THE OWNERSHIP OF SECURITIES OF ANY  
9 KIND REPRESENTING, OR CONVERTIBLE TO OWNERSHIP OF MORE THAN THREE  
10 (3) PERCENT OF A BUSINESS ENTITY.

11 (f) INTEREST. ANY LEGAL OR EQUITABLE ECONOMIC INTEREST,  
12 WHETHER OR NOT SUBJECT TO AN ENCUMBRANCE OR A CONDITION, WHICH IS  
13 OWNED OR HELD, IN WHOLE OR IN PART, JOINTLY OR SEVERALLY, DIRECTLY  
14 OR INDIRECTLY. INTEREST DOES NOT INCLUDE:

15 (1) AN INTEREST HELD IN THE CAPACITY OF A PERSONAL  
16 REPRESENTATIVE, AGENT, CUSTODIAN, FIDUCIARY, OR TRUSTEE, UNLESS  
17 THE HOLDER HAS AN EQUITABLE INTEREST THEREIN;

18 (2) AN INTEREST IN A TIME OR DEMAND DEPOSIT IN A  
19 FINANCIAL INSTITUTION;

20 (3) AN INTEREST IN AN INSURANCE OR ENDOWMENT POLICY OR  
21 ANNUITY CONTRACT UNDER WHICH AN INSURANCE COMPANY PROMISES TO PAY  
22 A FIXED NUMBER OF DOLLARS EITHER IN A LUMP SUM OR PERIODICALLY FOR  
23 LIFE OR SOME OTHER SPECIFIED PERIOD; OR

24 (4) A COMMON TRUST FUND OR A TRUST WHICH FORMS PART OF  
25 A PENSION OR PROFIT SHARING PLAN WHICH HAS MORE THAN TWENTY-FIVE  
26 (25) PARTICIPANTS AND WHICH HAS BEEN DETERMINED BY THE INTERNAL  
27 REVENUE SERVICE TO BE A QUALIFIED TRUST UNDER SECTION 401 AND 501  
28 OF THE INTERNAL REVENUE CODE OF 1954.

29 (g) GIFT. A PAYMENT, HONORARIUM, SUBSCRIPTION, ADVANCE,  
30 FORBEARANCE, GIVING OR DEPOSITING OF MONEY, SERVICES, OR ANYTHING  
31 OF VALUE, UNLESS CONSIDERATION OF EQUAL OR GREATER VALUE IS  
32 RECEIVED. GIFT DOES NOT INCLUDE:

1 (1) A POLITICAL CONTRIBUTION OTHERWISE REPORTED AS  
2 REQUIRED BY LAW;

3 (2) A COMMERCIAL AND REASONABLE LOAN MADE IN THE  
4 ORDINARY COURSE OF BUSINESS;

5 (3) GIFT RECEIVED FROM A MEMBER OF THE PERSON'S  
6 IMMEDIATE FAMILY OR FROM A RELATIVE WITHIN THE THIRD DEGREE OF  
7 ANY CONSANGUINITY OF THE PERSON OR OF THE PERSON'S SPOUSE OR FROM  
8 THE SPOUSE OF ANY SUCH RELATIVE.

9 (h) LOBBYIST. ANY PERSON WHO, WITHIN A REPORTING PERIOD, IN  
10 THE PRESENCE OF ANY OFFICIAL OR EMPLOYEE IN THE LEGISLATIVE OR  
11 EXECUTIVE BRANCH HAS COMMUNICATED WITH THE OFFICIAL OR EMPLOYEE  
12 FOR THE PURPOSE OF INFLUENCING ANY LEGISLATIVE OR EXECUTIVE  
13 ACTION. ~~AND WHO FOR THAT PURPOSE RECEIVES FIVE HUNDRED DOLLARS~~  
14 ~~(\$500.00) OR MORE AS COMPENSATION FOR SUCH SERVICES.~~

15 (i) LEGISLATIVE ACTION. THE INTRODUCTION, SPONSORSHIP,  
16 CONSIDERATION, DEBATE, AMENDMENT, PASSAGE, DEFEAT, APPROVAL, VETO,  
17 OR ANY OTHER OFFICIAL ACTION OR NONACTION ON ANY BILL, RESOLUTION,  
18 AMENDMENT, NOMINATION, APPOINTMENT, REPORT, OR ANY OTHER MATTER  
19 PENDING OR PROPOSED BEFORE THE HARFORD COUNTY COUNCIL OR ANY  
20 LEGISLATIVE BILL, PENDING OR PRESENTED TO THE COUNTY EXECUTIVE FOR  
21 SIGNATURE OR VETO.

22 (j) EXECUTIVE ACTION. ANY ACT TAKEN BY THE COUNTY EXECUTIVE  
23 OR AN EMPLOYEE IN THE EXECUTIVE BRANCH FOR WHICH THE EXECUTIVE  
24 BRANCH IS RESPONSIBLE.

25 (k) LOBBYING. THE PERFORMING OF ANY ~~ACT-REQUIRING-REGIS-~~  
26 ~~TRATION~~ ACTS AS A LOBBYIST.

27 (l) PUBLIC OFFICIAL. THE COUNTY EXECUTIVE OF HARFORD  
28 COUNTY AND MEMBERS OF THE HARFORD COUNTY COUNCIL. IN ADDITION,  
29 THE WORD "PUBLIC OFFICIAL" ALSO MEANS THE HEAD OF ANY DEPARTMENT  
30 OR AGENCY IN HARFORD COUNTY AND ANY MEMBER APPOINTED TO A BOARD OR  
31 COMMISSION IN HARFORD COUNTY.  
32

1 (m) COMPENSATION. ANY MONEY OR THING OF VALUE REGARDLESS OF  
2 FORM, RECEIVED OR TO BE RECEIVED BY ANY INDIVIDUAL COVERED BY THIS  
3 ARTICLE FROM AN EMPLOYER FOR SERVICES RENDERED. FOR THE PURPOSES  
4 OF THE LOBBYING SECTION OF THIS ARTICLE, IF LOBBYING IS ONLY A  
5 PORTION OF A PERSON'S EMPLOYMENT, COMPENSATION MEANS A PRORATED  
6 AMOUNT BASED ON THE TIME DEVOTED TO LOBBYING COMPARED TO THE TIME  
7 DEVOTED TO OTHER EMPLOYMENT DUTIES. FOR REPORTING PURPOSES, A  
8 PRORATED AMOUNT SHALL BE LABELED AS SUCH.

9 SECTION 16-48. APPLICABILITY. THE PROVISIONS OF THIS ARTICLE  
10 APPLY TO ALL PUBLIC OFFICIALS AND EMPLOYEES AND TO THE MEMBERS OF  
11 COUNTY BOARDS AND COMMISSIONS.

12 SECTION 16-49. BOARD OF ETHICS.

13 (a) THERE IS HEREBY ESTABLISHED A BOARD OF ETHICS FOR  
14 HARFORD COUNTY. IT SHALL BE COMPOSED OF THREE (3) MEMBERS  
15 APPOINTED BY THE COUNTY EXECUTIVE AND CONFIRMED BY THE COUNTY  
16 COUNCIL FOR A TERM COTERMINOUS WITH THAT OF THE COUNTY EXECUTIVE.  
17 NOT MORE THAN TWO MEMBERS OF THE BOARD SHALL BE MEMBERS OF THE  
18 SAME POLITICAL PARTY.

19 (b) THE BOARD SHALL BE ADVISED BY THE COUNTY ATTORNEY AND  
20 IT SHALL HAVE THE FOLLOWING DUTIES AND RESPONSIBILITIES:

21 (1) TO DEVISE, RECEIVE, AND MAINTAIN ALL FORMS GEN-  
22 ERATED BY THIS ARTICLE;

23 (2) TO PROVIDE ADVISORY OPINIONS TO PERSONS SUBJECT TO  
24 THE PROVISIONS OF THIS ARTICLE;

25 (3) TO PROCESS AND MAKE DETERMINATIONS AS TO COMPLAINTS  
26 FILED BY ANY PERSON ALLEGING VIOLATIONS OF THIS ARTICLE; AND

27 (4) TO CONDUCT A PUBLIC INFORMATION PROGRAM REGARDING  
28 THE PURPOSES AND APPLICATION OF THIS ARTICLE.

29 (c) COMPLAINTS; HEARINGS.

30 (1) THE BOARD IS AUTHORIZED TO RECEIVE WRITTEN COM-  
31 PLAINTS, SIGNED BY THE COMPLAINANT, CONDUCT INVESTIGATIONS UPON  
32 THE COMPLAINTS, HOLD HEARINGS, SWEAR WITNESSES, AND ADOPT RULES OF

BOOK 3 PAGE 137

1 PROCEDURE FOR THE CONDUCT OF ITS BUSINESS. THE SOURCE OF COM-  
2 PLAINTS, EXCEPT TO THE ACCUSED PERSON, REQUESTS FOR ADVISORY  
3 OPINIONS, AND ALL INVESTIGATIONS SHALL BE KEPT CONFIDENTIAL.  
4 FINDINGS, RECOMMENDATIONS, ADVISORY OPINIONS AND INTERPRETATIONS  
5 MAY BE MADE PUBLIC, IN THE BOARD'S DISCRETION, WHERE SUCH DIS-  
6 CLOSURE DOES NOT CONTRAVENE APPLICABLE PUBLIC DISCLOSURE LAWS.  
7 THE BOARD SHALL KEEP ACCURATE AND COMPLETE RECORDS OF ITS BUSINESS.

8 (2) UPON RECEIPT OF A COMPLAINT ALLEGING A VIOLATION OF  
9 THIS CODE, THE BOARD SHALL DETERMINE IF THERE IS PROBABLE CAUSE TO  
10 BELIEVE A VIOLATION HAS OCCURRED. IF THE BOARD DETERMINES THAT  
11 THERE IS NO PROBABLE CAUSE FOR THE COMPLAINT, THE BOARD SHALL  
12 DISMISS THE MATTER SUMMARILY. IF PROBABLE CAUSE IS DETERMINED,  
13 THE BOARD SHALL TAKE FURTHER INVESTIGATORY AND PROCEDURAL STEPS  
14 NECESSARY TO RESOLVE THE MATTER, WHICH STEPS SHALL INCLUDE AN  
15 OPPORTUNITY BY ANY ACCUSED TO BE REPRESENTED BY COUNSEL AND BE  
16 CONFRONTED BY THE ACCUSERS, AND TO PRESENT EVIDENCE AT A HEARING.  
17 IF THE PERSON ACCUSED REQUESTS A PUBLIC HEARING, THE REQUEST SHALL  
18 BE GRANTED.

19 (3) IF, AFTER APPROPRIATE INVESTIGATION OR HEARING THE  
20 BOARD FINDS THAT A VIOLATION HAS OCCURRED, THE BOARD SHALL NOTIFY  
21 THE COUNTY ATTORNEY OF THE VIOLATION. THE COUNTY ATTORNEY SHALL  
22 PROCEED WITH CIVIL ENFORCEMENT OF THIS CODE OR IF THE VIOLATION  
23 INVOLVES CRIMINAL SANCTIONS, THE MATTER SHALL BE SENT TO THE  
24 STATE'S ATTORNEY.

25 (4) THE BOARD SHALL ADOPT, IN ACCORDANCE WITH SECTION  
26 807 OF THE CHARTER, RULES OF PROCEDURE FOR ITS MEETINGS, INVESTI-  
27 GATIONS, AND HEARINGS. IN ADDITION, THE BOARD SHALL ADOPT RULES  
28 AND REGULATIONS NOT INCONSISTENT WITH THIS ARTICLE IN ORDER TO  
29 CARRY OUT THE PROVISIONS OF THIS ARTICLE.  
30 SECTION 16-50. CONFLICTS OF INTEREST.

31 (a) PUBLIC OFFICIALS AND EMPLOYEES WHO ARE SUBJECT TO THIS  
32 ARTICLE SHALL NOT:

(1) IN ANY MANNER WHATSOEVER BE INTERESTED IN, OR  
RECEIVE ANY BENEFIT FROM, THE PROFITS OR EMOLUMENTS OF ANY CON-  
TRACT, JOB, WORK, OR SERVICE FOR THE COUNTY, EXCEPT FOR SALARY AND  
WAGES ESTABLISHED BY LAW;

~~(2) --ACCEPT ANY SERVICE OR THING OF VALUE, DIRECTLY OR~~  
~~INDIRECTLY, UPON MORE FAVORABLE TERMS THAN THOSE GRANTED TO THE~~  
~~PUBLIC GENERALLY, FROM ANY PERSON, FIRM, OR CORPORATION HAVING~~  
~~DEALINGS WITH THE COUNTY, NOR SHALL THE OFFICIAL OR EMPLOYEE~~

(2) ACCEPT ANY GIFT, SERVICE OR THING OF VALUE,  
DIRECTLY OR INDIRECTLY, FROM ANY PERSON, FIRM, OR CORPORATION  
REGULATED BY OR DOING BUSINESS WITH THE COUNTY, NOR SHALL THE  
OFFICIAL OR EMPLOYEE RECEIVE, DIRECTLY OR INDIRECTLY, ANY PART OF  
ANY FEE, COMMISSION, OR OTHER COMPENSATION PAID OR PAYABLE BY THE  
COUNTY, OR BY ANY PERSON IN CONNECTION WITH ANY DEALINGS OR  
PROCEEDINGS BEFORE ANY AGENCY WITH THE COUNTY GOVERNMENT;

(3) DIRECTLY OR INDIRECTLY, BE THE AGENT WHO PROCURES  
OR RECEIVES ANY COMPENSATION IN CONNECTION WITH THE PROCUREMENT OF  
ANY TYPE OF BONDS FOR COUNTY OFFICERS, EMPLOYEES, PERSONS OR FIRMS  
DOING BUSINESS WITH THE COUNTY;

~~(4) --SOLICIT ANY COMPENSATION OR GRATUITY, IN THE FORM~~  
~~OF MONEY OR OTHERWISE, FOR ANY ACT OR COMMISSION OR OMISSION IN~~  
~~THE COURSE OF THE OFFICIAL'S OR THE EMPLOYEE'S PUBLIC WORK,~~  
~~PROVIDED, HOWEVER, THAT THE HEAD OF ANY COUNTY DEPARTMENT OR~~  
~~COUNTY BOARD MAY PERMIT AN EMPLOYEE TO RECEIVE A REWARD PUBLICLY~~  
~~OFFERED AND PAID FOR THE ACCOMPLISHMENT OF A PARTICULAR TASK,~~

(4) SOLICIT ANY GIFT OR KNOWINGLY ACCEPT ANY GIFT,  
DIRECTLY OR INDIRECTLY, FROM ANY PERSON WHOM THE OFFICIAL OR  
EMPLOYEE KNOWS OR HAS REASON TO KNOW:

(i) IS DOING OR SEEKING TO DO BUSINESS OF ANY KIND  
WITH A COUNTY AGENCY;

(ii) IS ENGAGED IN ACTIVITIES WHICH ARE REGULATED  
OR CONTROLLED BY A COUNTY AGENCY;

(iii) HAS FINANCIAL INTERESTS WHICH MAY BE  
SUBSTANTIALLY AND MATERIALLY AFFECTED, IN A MANNER DISTINGUISHABLE  
FROM THE PUBLIC GENERALLY, BY THE PERFORMANCE OR NONPERFORMANCE OF  
AN OFFICIAL DUTY; OR

(iv) IS A REGISTERED LOBBYIST.

(5) PARTICIPATE ON BEHALF OF THE COUNTY IN ANY MATTER  
WHICH WOULD, TO THEIR KNOWLEDGE, HAVE A DIRECT FINANCIAL IMPACT,  
AS DISTINGUISHED FROM THE PUBLIC GENERALLY, ON THEM, THEIR SPOUSE  
OR DEPENDENT CHILD, OR A BUSINESS ENTITY WITH WHICH THEY ARE  
AFFILIATED;

(6) HOLD ANY OUTSIDE EMPLOYMENT RELATIONSHIP THAT WOULD  
IMPAIR THEIR IMPARTIALITY OR INDEPENDENCE OF JUDGMENT;

(7) REPRESENT ANY PARTY, FOR A CONTINGENT FEE, BEFORE  
ANY COUNTY BODY;

~~{8}--WITHIN-ONE-{1}-YEAR-FOLLOWING-TERMINATION-OF~~  
~~COUNTY-SERVICE, ACT-AS-A-COMPENSATED-REPRESENTATIVE-OF-ANOTHER-IN~~  
~~CONNECTION-WITH-ANY-SPECIFIC-MATTER-IN-WHICH-THE-OFFICIAL-OR~~  
~~EMPLOYEE-PARTICIPATED-SUBSTANTIALLY-AS-A-COUNTY-OFFICIAL-OR~~  
~~EMPLOYEE;~~

~~{9}~~ (8) USE THE PRESTIGE OF THEIR OFFICE FOR THEIR OWN  
BENEFIT OR THAT OF ANOTHER, EXCEPT THAT LETTERS OF REFERENCE ARE  
PERMITTED; and

~~{10}~~ (9) USE CONFIDENTIAL INFORMATION ACQUIRED WITHIN  
THEIR OFFICIAL COUNTY POSITION FOR THEIR OWN BENEFIT OR FOR THAT  
OF ANOTHER.

SECTION 16-51. EXEMPTIONS.

(a) UNLESS A GIFT OF ANY OF THE FOLLOWING WOULD TEND TO  
IMPAIR THE IMPARTIALITY AND THE INDEPENDENCE OF JUDGMENT OF THE  
PUBLIC OFFICIAL OR EMPLOYEE RECEIVING IT OR, IF OF SIGNIFICANT  
VALUE, WOULD GIVE THE APPEARANCE OF DOING SO, THE FOLLOWING GIFTS  
ARE PERMITTED:



1 (1) CEREMONIAL GIFTS OR AWARDS WHICH HAVE INSIGNIFICANT  
2 MONETARY VALUE;

3 (2) UNSOLICITED GIFTS OF NOMINAL VALUE OR TRIVIAL ITEMS  
4 OF INFORMATIONAL VALUE;

5 (3) REASONABLE EXPENSES FOR FOOD, TRAVEL, LODGING, AND  
6 SCHEDULED ENTERTAINMENT AT A MEETING WHICH IS GIVEN IN RETURN FOR  
7 PARTICIPATION IN A PANEL OR SPEAKING ENGAGEMENT;

8 (4) GIFTS FROM A PERSON RELATED BY BLOOD OR MARRIAGE,  
9 OR A SPOUSE, CHILD, WARD, FINANCIALLY DEPENDENT PARENT, OR ANY  
10 OTHER RELATIVE WHO SHARES THE OFFICIAL'S OR EMPLOYEE'S LEGAL  
11 RESIDENCE, OR A CHILD, WARD, PARENT, OR ANY OTHER RELATIVE OVER  
12 WHOSE FINANCIAL AFFAIRS THE EMPLOYEE HAS LEGAL OR ACTUAL CONTROL;  
13 AND

14 (5) HONORARIA.

15 (b) THE PROVISIONS OF SECTION 16-52 SHALL NOT APPLY TO:

16 (1) PERSONS PERFORMING PROFESSIONAL SERVICES IN DRAFT-  
17 ING BILLS OR IN ADVISING AND RENDERING OPINIONS TO CLIENTS AS TO  
18 THE CONSTRUCTION AND EFFECT OF PROPOSED OR PENDING LEGISLATION,  
19 WHERE SUCH SERVICES DO NOT OTHERWISE CONSTITUTE ACTIVITIES AS A  
20 LOBBYIST;

21 (2) PERSONS APPEARING BEFORE THE COUNTY COUNCIL AT THE  
22 SPECIFIC INVITATION OR REQUEST OF THE COUNTY COUNCIL AND WHO  
23 ENGAGE IN NO FURTHER ACTIVITIES IN CONNECTION WITH THE PASSAGE OR  
24 DEFEAT OF LEGISLATION;

25 (3) PERSONS APPEARING ONLY AND SOLELY ON MATTERS  
26 PERTAINING TO THEIR OFFICIAL DUTIES AS DULY ELECTED OR APPOINTED  
27 OFFICIALS OR EMPLOYEES OF THE STATE OR POLITICAL SUBDIVISION  
28 THEREOF, OR OF THE UNITED STATES, AND NOT AS REPRESENTATIVES IN  
29 ANY MANNER OF ANY OTHER ENTITY.

30 (c) THE BOARD MAY, AFTER CONSULTATION WITH THE COUNTY  
31 ATTORNEY, GRANT EXEMPTIONS TO THIS ARTICLE, TO PUBLIC OFFICIALS  
32

1 WHOSE PRIMARY DUTIES ARE THOSE OF SERVING AS MEMBERS OF COUNTY  
2 BOARDS AND COMMISSIONS. IN ORDER TO GRANT THE EXEMPTION, THE  
3 BOARD MUST FIND THAT THE APPLICATION OF THIS ARTICLE SIGNIFICANTLY  
4 REDUCES THE AVAILABILITY OF QUALIFIED PERSONS FOR PUBLIC SERVICE  
5 AND THAT THE EXEMPTION WOULD NOT BE CONTRARY TO THE PURPOSES OF  
6 THIS ARTICLE.

7 SECTION 16-52. LOBBYING DISCLOSURE.

8 ~~{a}--ANY-PERSON-WHO-PERSONALLY-APPEARS-BEFORE-ANY-COUNTY~~  
9 ~~OFFICIAL-OR-EMPLOYEE-WITH-THE-INTENT-TO-INFLUENCE-THAT-PERSON-IN~~  
10 ~~THE-PERFORMANCE-OF-THAT-PERSON'S-OFFICIAL-DUTIES, AND WHO RECEIVES~~  
11 ~~FIVE-HUNDRED-DOLLARS-(\$500.00)-OR-MORE-AS-COMPENSATION-FOR-THE~~  
12 ~~PERFORMANCE-OF-THE-LOBBYING-DUTIES-SHALL-FILE-A-REGISTRATION~~  
13 ~~STATEMENT-WITH-THE-BOARD-NOT-LATER-THAN-JANUARY-15-OF-THE-CALENDAR~~  
14 ~~YEAR-OR-WITHIN-FIVE-(5)-DAYS-AFTER-FIRST-MAKING-THESE-APPEARANCES.~~

15 (a) ANY PERSON WHO ENGAGES IN LOBBYING BEFORE THE HARFORD  
16 COUNTY COUNCIL WITH THE INTENT TO INFLUENCE THE COUNCIL IN THE  
17 PERFORMANCE OF THEIR DUTIES, AND WHO RECEIVES FIVE HUNDRED DOLLARS  
18 (\$500.00) OR MORE IN A CALENDAR YEAR AS COMPENSATION FOR THE  
19 PERFORMANCE OF THE LOBBYING ACTIVITIES, OR WHO INCURS EXPENSES  
20 OF THREE HUNDRED DOLLARS (\$300.00) OR MORE IN A CALENDAR YEAR,  
21 OR EXPENDS THREE HUNDRED DOLLARS (\$300.00) OR MORE IN A CALENDAR  
22 YEAR ON FOOD, ENTERTAINMENT, OR GIFTS IN THE COURSE OF THE LOBBYING  
23 SHALL FILE A REGISTRATION STATEMENT WITH THE BOARD NOT LATER  
24 THAN JANUARY 15 OF THE CALENDAR YEAR OR WITHIN FIVE (5) DAYS  
25 AFTER FIRST ENGAGING IN LOBBYING ACTIVITIES.

26 (1) ANY PERSON WHO ENGAGES IN LOBBYING BEFORE ANY  
27 PUBLIC OFFICIAL OTHER THAN MEMBERS OF THE HARFORD COUNTY COUNCIL  
28 OR ANY COUNTY EMPLOYEE AND WHO, DURING THE CALENDAR YEAR, SPENDS  
29 IN EXCESS OF THREE HUNDRED DOLLARS (\$300.00) ON FOOD, ENTERTAINMENT  
30 OR OTHER GIFTS FOR ANY SUCH PUBLIC OFFICIAL OR EMPLOYEE IN  
31 CONNECTION WITH THESE ACTIVITIES SHALL FILE A REGISTRATION  
32

1 STATEMENT WITH THE BOARD NOT LATER THAN JANUARY 15 OF THE CALENDAR  
2 YEAR OR WITHIN FIVE (5) DAYS AFTER ENGAGING IN SUCH LOBBYING  
3 ACTIVITIES.

4 (2) THE DEPARTMENT OF LAW SHALL PREPARE A REGISTRATION  
5 STATEMENT AND SHALL SUBMIT SUCH STATEMENT TO THE COUNCIL FOR ITS  
6 APPROVAL BY APPROPRIATE RESOLUTION ON OR BEFORE THE EFFECTIVE  
7 DATE OF THIS ORDINANCE.

8 (b) THE REGISTRATION STATEMENT SHALL INCLUDE COMPLETE  
9 IDENTIFICATION OF THE REGISTRANT AND OF ANY PERSON ON WHOSE  
10 BEHALF THE REGISTRANT ACTS. IT SHALL ALSO IDENTIFY THE SUBJECT  
11 MATTER ON WHICH THE REGISTRANT PROPOSES TO MAKE THESE APPEARANCES  
12 AND SHALL COVER A DEFINED REGISTRATION PERIOD NOT TO EXCEED ONE  
13 CALENDAR YEAR.

14 (c) REGISTRANTS UNDER THIS SECTION SHALL FILE A REPORT  
15 WITHIN THIRTY (30) DAYS AFTER THE END OF ANY CALENDAR YEAR DURING  
16 WHICH THEY WERE REGISTERED, DISCLOSING THEIR ACTIVITIES FOR THE  
17 PREVIOUS CALENDAR YEAR.

18 (d) REGISTRATIONS AND REPORTS FILED PURSUANT TO THIS ARTICLE  
19 SHALL BE MAINTAINED BY THE BOARD AS A PUBLIC RECORD AND SHALL BE  
20 AVAILABLE FOR PUBLIC INSPECTION AND COPYING.

21 SECTION 16-53. ENFORCEMENT.

22 (a) THE BOARD MAY ISSUE A CEASE AND DECEASE ORDER AGAINST  
23 ANY PERSON FOUND TO BE IN VIOLATION OF THIS ARTICLE AND MAY SEEK  
24 ENFORCEMENT OF ITS ORDERS IN THE CIRCUIT COURT FOR HARFORD COUNTY.

25 (b) A COUNTY OFFICIAL OR EMPLOYEE FOUND TO HAVE VIOLATED  
26 THIS ARTICLE MAY BE SUBJECT TO DISCIPLINARY OR OTHER APPROPRIATE  
27 PERSONNEL ACTION, INCLUDING SUSPENSION OF SALARY OR OTHER COM-  
28 PENSATION.

29 (c) VIOLATION OF THE LOBBYING DISCLOSURE SECTIONS OF THIS  
30 ARTICLE SHALL BE A MISDEMEANOR, SUBJECT TO A FINE OF UP TO ONE  
31 THOUSAND DOLLARS (\$1,000.00) AND/OR IMPRISONMENT OF UP TO SIX (6)  
32 MONTHS.

1 (d) VIOLATIONS OF THE CONFLICTS OF INTEREST SECTIONS OF  
2 THIS ARTICLE SHALL SUBJECT THE VIOLATOR TO A CIVIL FINE OF UP TO  
3 ONE THOUSAND DOLLARS (\$1,000.00) FOR EACH OCCURENCE.

4 Section 2. *And Be It Further Enacted*, that this Act shall take  
5 effect sixty (60) calendar days from the date it becomes law.

6 EFFECTIVE: December 27, 1982

BOOK 8 PAGE 144

BY THE COUNCIL

Read the third time.

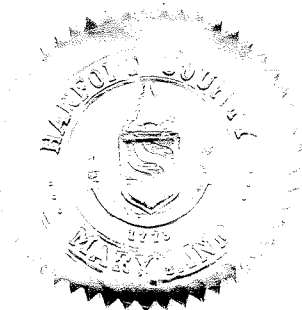
Passed SLSD 82-34 (October 27, 1982) (with amendments)

Failed of Passage \_\_\_\_\_

By order

Angela Markowski, Secretary

Sealed with the County Seal and presented to the County Executive  
for his approval this 27th day of October, 19 82  
at 3:00 o'clock P.M.

Angela Markowski, Secretary

BY THE EXECUTIVE

APPROVED:

Thomas J. Perange  
County ExecutiveDate October 28, 1982

BY THE COUNCIL

This Bill (No. 82-72(as amended), having been approved by  
the Executive and returned to the Council, becomes law on  
October 28, 1982.

Angela Markowski, Secretary

Rec'd & Recorded 2-18 1983 at 1:00 PM.  
NAC Liber 8 Folio 13-2 & examined per  
H. Douglas Chilcoat, Clerk, Harford Co.

EFFECTIVE DATE: December 27, 1982